

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARTIN LUTHER KING, JR. COUNTY,
et al.,

Plaintiffs,

v.

SCOTT TURNER in his official capacity as
Secretary of the U.S. Department of Housing
and Urban Development, et al.,
Defendants.

No. 2:25-cv-00814-BJR

**DECLARATION OF
JOSH BROWN**

Pursuant to 28 U.S.C. § 1746, the undersigned hereby declares that:

1. I am the Executive Director of the Puget Sound Regional Council ("PSRC"), in Seattle, Washington. I have held this position since January 2, 2014.

2. I have personal knowledge of the facts set forth in this declaration and am fully competent to testify in this matter.

3. PSRC is a regional planning agency headquartered in Seattle, Washington. It currently employs 75 people and serves a region with a population of approximately 4.5 million.

4. PSRC was formed under Washington's Interlocal Cooperation Act, RCW 39.34, by four counties: King, Kitsap, Pierce, and Snohomish. PSRC's members currently include those

*Declaration of Josh Brown - (2:25-cv-00814-BJR) -
Page 1*

PACIFICA LAW GROUP LLP
401 Union Street, Suite 1600
Seattle, WA 98101-2668
SEATTLE, WASHINGTON 98101-3404
TELEPHONE: (206) 245-1700
FACSIMILE: (206) 245-1750

four counties, 77 cities and towns within the region, four port districts, the region's transit agencies, the Washington State Department of Transportation, the Washington Transportation Commission, the Muckleshoot Indian Tribe, the Puyallup Tribe of Indians, the Suquamish Tribe, and the Tulalip Tribes.

5. Since 1991, PSRC has been designated the metropolitan planning organization for King, Kitsap, Pierce, and Snohomish counties pursuant to 23 U.S.C. § 134 and 49 U.S.C. § 5303. As a metropolitan planning organization, PSRC must develop long-range transportation plans and transportation improvement programs for its metropolitan planning area to guide the funding and development of future transportation projects.

6. PSRC receives grant funding awarded by two operating administrations within the U.S. Department of Transportation (DOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). Some of the grant funding is awarded directly to PSRC, and rest is passed through to PSRC from the Washington State Department of Transportation (WSDOT), which is a direct recipient of DOT grant funds. PSRC currently has approval for a total of six grants funded by DOT for its operating administrations. Three were awarded directly to PSRC. For the other three grants, PSRC is a subrecipient.

7. Some of the grants that PSRC receives are block or formula grants, which do not involve a competitive process. The rest are competitive grants for which PSRC submits proposals which the funding agency evaluates against other such proposals.

8. PSRC has been awarded the following grants directly from FHWA:

- a. Safe Streets and Roads for All Grant (Round 1), awarded pursuant to the Infrastructure Investment and Jobs Act (IIJA), Pub. L. No. 117-58 (2021): \$4,860,663 to prepare a regional safety action plan and to coordinate with subrecipients to prepare safety action plans for their own jurisdictions. The safety action plans are to prevent roadway fatalities and serious injuries. Of the total amount awarded, \$1,944,145 carries forward to the coming

fiscal year. PSRC awards a portion of these funds to six local governments within the region as subrecipients.

- b. Safe Streets and Roads for All Grant (Round 2), awarded pursuant to the IIJA: \$2,870,400 to coordinate with subrecipients on the development of their own local safety action plans. Of the total amount awarded, \$1,722,00 carries forward to the coming fiscal year. PSRC awards a portion of these funds to nine local governments within the region as subrecipients.

9. PSRC has been awarded the following grant directly from FTA:

- a. Urbanized Area Formula Grant, awarded pursuant to 49 U.S.C. § 5307: \$3,750,000 for regional transit planning. Of the total amount awarded, \$959,242 carries forward to the coming fiscal year.

10. PSRC has been awarded the following funding as the subrecipient of a grant awarded to WSDOT by FTA:

- a. Enhanced Mobility of Seniors & Individuals with Disabilities Grant, awarded pursuant to 49 U.S.C. § 5310: \$100,000 to plan for and coordinate the transportation needs of the elderly and persons with disabilities.

11. PSRC has been awarded the following funding as the subrecipient of grants awarded to WSDOT by FHWA:

- a. Metropolitan Transportation Planning Grant, awarded pursuant to 49 U.S.C. § 5303: \$19,039,891 for a metropolitan planning process that includes developing a transportation plan and integrated multimodal transportation system. Of the total amount awarded, \$3,749,835 carries forward to the coming fiscal year.

1 b. Surface Transportation Block Grant, awarded pursuant to 23 U.S.C. § 133:
2 \$2,000,000 for regional transportation planning.

3 12. With the exception of the two Safe Streets and Roads for All grants, which have
4 been available only since 2023, PSRC has received the grants described above for many years.
5 It began receiving the Surface Transportation Block Grant in 1997; the Urbanized Area Formula
6 Grant in 2004; and the Enhanced Mobility of Seniors & Individuals with Disabilities Grant in
7 2013. PSRC has received the Metropolitan Transportation Planning Grant since its formation
8 in 1991.

9 13. For all three of the grants described above awarded directly to PSRC, the
10 organization has recently been asked to agree to new grant conditions that include certain
11 language derived from Executive Order 14173, entitled “Ending Illegal Discrimination and
12 Restoring Merit-Based Opportunity.” These new grant conditions would require PSRC to certify
13 that it does not operate any programs promoting diversity, equity, and inclusion (DEI) initiatives
14 that violate any applicable Federal anti-discrimination laws, and to agree that its compliance in
15 all respects with all applicable Federal anti-discrimination laws is material to the government’s
16 payment decisions for purposes of section 3729(b)(4) of title 31, United States Code, known as
17 the False Claims Act. Neither I nor any of my staff who work with DOT grants has seen these
18 conditions in prior grant agreements.

19 14. In January 2025, PSRC asked to amend the agreement governing its Safe Streets
20 and Roads for All Grant to extend the period of performance. On May 23, 2025, PSRC received
21 an email from DOT attaching a proposed amendment to the existing grant agreement. Attached
22 as EXHIBIT A is a true and correct copy of the May 23, 2025 email. The amendment incorporated
23 by reference the General Terms and Conditions Under the Fiscal Year 2022 Safe Streets and
24 Roads for All Grant Program, as amended on March 17, 2025 (2025 SS4A Terms and
25 Conditions). *See* EXHIBIT A at 9 (General Terms and Conditions 1.1(a)). PSRC staff reviewed
26 the 2025 SS4A Terms and Conditions and found that they include the new grant conditions

1 described in Paragraph 13 above. *See* Exhibit D to the Declaration of Jascha Franklin-Hodge,
2 Article 24.2 (b) and (c) (Docket 75 at 126).

3 15. On May 30, 2025, PSRC staff attempted to obtain reimbursement under its
4 Urbanized Area Formula Grant for expenditures it has already made. It used DOT's Transit
5 Award Management System (TrAMS) to seek reimbursement, as required by the terms of its
6 grant. Before any funding would be released, TrAMS required PSRC to execute a new Grant
7 Agreement. Attached as EXHIBIT B is a true and correct copy of screen shots of TrAMS. The new
8 Grant Agreement incorporates by reference the Federal Transit Administration Master
9 Agreement, FTA MA(33), which includes the new grant conditions described in Paragraph 13
10 above. *See* Exhibit A to the Declaration of David Morrison, Section 12(n) (Docket 6 at 78). It is
11 my understanding that no funds will be released until PSRC executes the new Grant Agreement.

12 16. PSRC has not signed any agreement that includes the new grant conditions
13 described in Paragraph 13 above.

14 17. PSRC has not been asked to sign new agreements for the three grants it receives
15 as a subrecipient. However, it is my understanding that federal regulations may impose on
16 subrecipients the same grant terms and conditions that apply to direct recipients. I am concerned
17 that if WSDOT, which passes DOT grant funds through to PSRC, is required to execute grant
18 agreements containing the new grant conditions described in Paragraph 13 above, then those new
19 grant conditions could be imposed on PSRC.

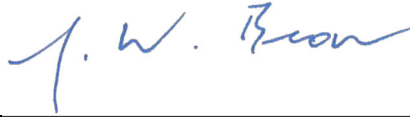
20 18. PSRC is heavily dependent on the federal grant funding described above, which
21 constitutes approximately 69% of the organization's operational funds.

22 19. If PSRC is denied the federal grant funding described above because it refuses to
23 accept the new grant conditions, it would be unable to complete transportation planning work it
24 is legally obligated under federal law to perform as an MPO, including work on behalf of its
25 members. PSRC would not be able to coordinate with WSDOT and local non-profits to help
26 meet the special transportation needs of seniors and persons living with disabilities. And, in a

1 region currently averaging one death per day on regional roadways and transportation facilities,
2 PSRC would not be able to assist members with completing their own local safety plans or
3 compete for implementation grants to work to reduce roadway deaths and serious injuries.

4 I hereby declare, under penalty of perjury under the laws of the United States of America,
5 that the foregoing is true and correct.

6 DATED this 7th day of July, 2025 at Seattle, Washington.

7 

8
9 JOSH BROWN

BROWN EXHIBIT A

From: [Jones, Tonya \(FHWA\)](#)
To: [Ben Bakkenta](#)
Cc: [Nancy Buonanno Grennan](#); [Gary Simonson](#); [Pahs, Matthew \(FHWA\)](#)
Subject: FW: Amendment 1 Final FY22 SS4A - WASHINGTON/PUGET 693JJ32340054
Date: Friday, May 23, 2025 12:36:09 PM
Attachments: [image002.png](#)
[image004.png](#)
[693JJ32340054_0001_VRJ_05222025.docx](#)

Hello Ben,

We have some really great news! We are able to get this out and once you review the attached and on Page 15 write a note on why the amendment was needed and send it back to me we should be able to get this wrapped up! Let me know if you have any questions.

Thank you,
Tonya

From: Jacobson, Veronica (FHWA) <veronica.jacobson@dot.gov>
Sent: Thursday, May 22, 2025 11:16 AM
To: Jones, Tonya (FHWA) <Tonya.Jones@dot.gov>
Cc: Parker, Stephen (FHWA) <stephen.parker@dot.gov>; Pahs, Matthew (FHWA) <matthew.pahs@dot.gov>; Judd, Rick (FHWA) <Rick.Judd@dot.gov>; Santamaria, Hector (FHWA) <Hector.Santamaria@dot.gov>
Subject: RE: Amendment 1 Final FY22 SS4A - WASHINGTON/PUGET 693JJ32340054

Hi Tonya,

Attached is the revised grant agreement amendment with some additional edits/comments. Once my comments have been addressed, please provide me a new redline grant agreement amendment and a clean copy with all changes accepted for our final review. Thank you.

Veronica R. Jacobson, P.E.
Agreement Specialist/Agreement Officer, HCFA-42
Office of Assistance Agreements
Office of Acquisition and Grants Management
USDOT|Federal Highway Administration
Office: 720-963-3020

Please take a moment to complete our brief customer survey available [here](#). Your response is anonymous and will help us assess the quality of our support to your program.

From: Jones, Tonya (FHWA) <Tonya.Jones@dot.gov>
Sent: Monday, April 7, 2025 10:08 AM
To: Jacobson, Veronica (FHWA) <veronica.jacobson@dot.gov>
Cc: Parker, Stephen (FHWA) <stephen.parker@dot.gov>; Pahs, Matthew (FHWA)

<matthew.pahs@dot.gov>; Judd, Rick (FHWA) <Rick.Judd@dot.gov>; Santamaria, Hector (FHWA) <Hector.Santamaria@dot.gov>

Subject: Amendment 1 Final FY22 SS4A - WASHINGTON/PUGET 693JJ32340054

Good morning Veronica,

Per our conversation regarding the Planned dates, they have been updated to actual dates and everything else is on schedule to complete with the dates included in the attached. I believe we are now ready to execute this agreement.

I am also going to submit this to the SharePoint site we discussed on Friday since that is what I am being directed to do. Hopefully by sending it to you and the SharePoint Site we will be able to get this approved. Thank you very much for all of your support. I really appreciate working with you!

Thanks again,

Tonya

From: Jacobson, Veronica (FHWA) <veronica.jacobson@dot.gov>

Sent: Wednesday, March 26, 2025 11:36 AM

To: Jones, Tonya (FHWA) <Tonya.Jones@dot.gov>

Cc: Parker, Stephen (FHWA) <stephen.parker@dot.gov>; Pahs, Matthew (FHWA) <matthew.pahs@dot.gov>; Judd, Rick (FHWA) <Rick.Judd@dot.gov>; Santamaria, Hector (FHWA) <Hector.Santamaria@dot.gov>

Subject: RE: (FULLY EXECUTED) SS4A - WASHINGTON/PUGET 693JJ32340054

Hi,

Attached is the grant agreement amendment with my edits/comments. Once my comments have been addressed, please provide me a new redline grant agreement amendment and a clean copy with all changes accepted for our final review.

Please let me know if you have any questions.

Veronica R. Jacobson, P.E.

Agreement Specialist/Agreement Officer, HCFA-42

Office of Assistance Agreements

Office of Acquisition and Grants Management

USDOT|Federal Highway Administration

Office: 720-963-3020

Please take a moment to complete our brief customer survey available [here](#). Your response is anonymous and will help us assess the quality of our support to your program.

From: Santamaria, Hector (FHWA) <Hector.Santamaria@dot.gov>
Sent: Wednesday, February 19, 2025 12:03 PM
To: Jones, Tonya (FHWA) <Tonya.Jones@dot.gov>; HCFA SS4A Support <HCFASS4A@dot.gov>
Cc: Parker, Stephen (FHWA) <stephen.parker@dot.gov>; Pahs, Matthew (FHWA) <matthew.pahs@dot.gov>; Judd, Rick (FHWA) <Rick.Judd@dot.gov>; Gaug, Anna CTR (FHWA) <anna.gaug.ctr@dot.gov>; Jacobson, Veronica (FHWA) <veronica.jacobson@dot.gov>
Subject: RE: (FULLY EXECUTED) SS4A - WASHINGTON/PUGET 693JJ32340054

Hello,

This amendment request has been assigned to Anna Gaug, cc'ed, who will be the HCFA POC to process this. Anna will follow up accordingly and any future communication related to this amendment can be addressed directly to her.

Hector R. Santamaria

Team Leader/Agreement Officer, HCFA-42
Office of Assistance Agreements
Office of Acquisition and Grants Management
USDOT| Federal Highway Administration
(202) 494-3811

Please take a moment to complete our brief customer survey available [here](#). Your response is anonymous and will help us assess the quality of our support to your program.

From: Jones, Tonya (FHWA) <Tonya.Jones@dot.gov>
Sent: Thursday, February 13, 2025 1:25 PM
To: HCFA SS4A Support <HCFASS4A@dot.gov>
Cc: Parker, Stephen (FHWA) <stephen.parker@dot.gov>; Pahs, Matthew (FHWA) <matthew.pahs@dot.gov>; Judd, Rick (FHWA) <Rick.Judd@dot.gov>; Santamaria, Hector (FHWA) <Hector.Santamaria@dot.gov>
Subject: RE: (FULLY EXECUTED) SS4A - WASHINGTON/PUGET 693JJ32340054

Please see the attached redline agreement from Puget Sound Regional Council along with the clean copy with all changes accepted. Please let me know if you have any questions.

Thank you,

Tonya

From: HCFA SS4A Support <HCFASS4A@dot.gov>
Sent: Friday, January 24, 2025 6:50 AM
To: Jones, Tonya (FHWA) <Tonya.Jones@dot.gov>; HCFA SS4A Support <HCFASS4A@dot.gov>
Cc: Parker, Stephen (FHWA) <stephen.parker@dot.gov>; Pahs, Matthew (FHWA)

<matthew.pahs@dot.gov>; Judd, Rick (FHWA) <Rick.Judd@dot.gov>; Santamaria, Hector (FHWA) <Hector.Santamaria@dot.gov>

Subject: RE: (FULLY EXECUTED) SS4A - WASHINGTON/PUGET 693JJ32340054

Thank you for reaching out to the HCFA support team. Please find attached the word version of the grant agreement the recipient wishes to amend.

Have the recipient redline their changes using the Track Changes feature.

Once it is ready, **TRANSMIT 2 VERSIONS OF THE DOCUMENT, the marked-up document (with the track changes) along with a "clean" version (all track changes accepted),** to this mailbox, HCFASS4A@dot.gov.

Once it is returned, you will be informed of the Agreement Specialist assigned who will communicate further instructions.

Warmest Regards,

Nicolette

Nicolette Solan
Agreement Specialist
Jefferson Consulting Group
Office of Assistance Agreements (HCFA-40)
Office of Acquisition and Grants Management (HCFA)
Federal Highway Administration (FHWA)
✉ Nicolette.solan.ctr@dot.gov | 📞 highways.dot.gov

Please take a moment to complete our brief customer survey available [here](#). Your response is anonymous and will help us assess the quality of our support to your program.

From: Jones, Tonya (FHWA) <Tonya.Jones@dot.gov>
Sent: Thursday, January 23, 2025 12:46 PM
To: HCFA SS4A Support <HCFASS4A@dot.gov>
Cc: Parker, Stephen (FHWA) <stephen.parker@dot.gov>; Pahs, Matthew (FHWA) <matthew.pahs@dot.gov>; Judd, Rick (FHWA) <Rick.Judd@dot.gov>
Subject: FW: (FULLY EXECUTED) SS4A - WASHINGTON/PUGET 693JJ32340054

Good morning,

I would like to request a copy of the final Word version of the original agreement for the PSRC grant agreement No. 693JJ32340054 due to the recipient requesting to modify the project schedule

to extend the Period of Performance please. We will need to amend this agreement to reflect the new estimated schedule to complete this project.

Thank you,

Tonya

From: Lechon, Vanessa (FHWA) <vanessa.lechon@dot.gov>
Sent: Friday, May 19, 2023 6:54 AM
To: Ben Bakkenta <BBakkenta@psrc.org>
Cc: Pahs, Matthew (FHWA) <matthew.pahs@dot.gov>; Parker, Stephen (FHWA) <stephen.parker@dot.gov>; FHWA, Washington (FHWA) <hdawa@dot.gov>; Gary Simonson <GSimonson@psrc.org>; Amy Tsai <atsai@redmond.gov>; Brian Victor <brianv@burienwa.gov>; Clint Ritter <clint.ritter@piercecounitywa.gov>; Corey Hert <chert@everettwa.gov>; Cyndy Knighton <cyndy.knighton@tukwilawa.gov>; David Paine <dpaine@kentwa.gov>; Jesse Hamashima <jesse.hamashima@piercecounitywa.gov>; Josh Hartley <Joshua.Hartley@TukwilaWA.gov>; Maiya Andrews <maiya@burienwa.gov>; Melissa McFadden <melissa.mcfadden@piercecounitywa.gov>; Robin Tischmak <RobinT@burienwa.gov>; Ryan Sass <RSass@everettwa.gov>; Shaun Bridge <sbridge@everettwa.gov>; Tom Hood <thood@everettwa.gov>; Vangie Garcia <vgarcia@redmond.gov>
Subject: (FULLY EXECUTED) SS4A - WASHINGTON/PUGET 693JJ32340054

Good morning,

Congratulations again on your selection for a Safe Streets and Roads for All grant. Attached for your records is the fully executed grant agreement No. 693JJ32340054. The award is effective as of today. The SS4A Team and the Division Office will partner to provide additional guidance on post-award matters such as quarterly reporting and requests for reimbursements. For any future questions, please reach out to your Division Office POC and they will help you accordingly.

Kind regards,
Vanessa



Vanessa L. Lechón | Contracting Officer | (720) 963-3065
Department of Transportation | Federal Highway Administration
Office of Acquisition & Grants Management
Assistance Agreements & Acquisition Services Division (HCFA-31)
12300 W. Dakota Ave.

Lakewood, CO 80228

HCFA values your perspective on your recent acquisition experience. Please take a moment to complete our brief customer survey available [here](#), choose HCFA-30. Your response is anonymous and will help us assess the quality of our support to your program.

- | | | |
|---|---|---|
| <p>1. Award No.
693JJ32340054
Amendment No. 0001</p> <p>4. Award To
Puget Sound Regional Council
1011 Western Avenue, Suite 500
Seattle, WA 98104
Unique Entity Id.: XFN8WL8ZK9L4
TIN No.: 91-0662794</p> <p>6. Period of Performance
May 19, 2023 - December 31, 2026</p> <p>8. Type of Agreement
Grant</p> <p>10. Procurement Request No.
HSA250430PR</p> <p>12. Submit Payment Requests To
See article 20.</p> <p>14. Accounting and Appropriations Data
NA</p> <p>15. Description of Project
Safety Action Plans for the Central Puget Sound Region</p> | <p>2. Effective Date
See No. 17 Below</p> <p>5. Sponsoring Office
U.S. Department of Transportation
Federal Highway Administration
Office of Safety
1200 New Jersey Avenue, SE
HSSA-1, Mail Drop E71-117
Washington, DC 20590</p> <p>7. Total Amount
Federal Share: \$4,860,363
Recipient Share: \$1,215,091
Other Federal Funds: \$0
Other Funds: \$0
Total: \$6,075,454</p> <p>9. Authority
Section 24112 of the Infrastructure Investment and Jobs Act (Pub. L. 117–58, November 15, 2021; also referred to as the “Bipartisan Infrastructure Law” or “BIL”))</p> <p>11. Federal Funds Obligated
\$4,860,363</p> <p>13. Payment Office
See article 20.</p> | <p>3. Assistance Listings No.
20.939</p> |
|---|---|---|

RECIPIENT**16. Signature of Person Authorized to Sign**

Signature Date
Nancy Buonanno Grennan
Title: Deputy Executive Director

FEDERAL HIGHWAY ADMINISTRATION**17. Signature of Agreement Officer**

Signature Date
Veronica Jacobson
Agreement Officer

U.S. DEPARTMENT OF TRANSPORTATION

GRANT AGREEMENT UNDER THE FISCAL YEAR 2022 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM

This agreement is between the United States Department of Transportation (the “USDOT”) Federal Highway Administration (the “FHWA”) and the Puget Sound Regional Council (PSRC) (the “**Recipient**”).

This agreement reflects the selection of the Recipient to receive a Safe Streets and Roads for All (“SS4A”) Grant for the Safety Action Plans for the Central Puget Sound Region.

The parties therefore agree to the following:

The Designated Subrecipient is also a party to this agreement, and the parties want the Designated Subrecipient to carry out certain Project components with the Recipient’s assistance, financial management, internal controls, and oversight as described in Article 17 of this agreement. The Recipient, as a pass-through entity, shall monitor the activities of a subrecipient in compliance with 2 C.F.R 200 332(d) with respect to a subrecipient’s performance of work under a subaward of this SS4A Grant.

ARTICLE 1 GENERAL TERMS AND CONDITIONS

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2022 Safe Streets and Roads for All Grant Program,” dated ~~February 8, 2023~~ March 17, 2025, which is available at <https://www.transportation.gov/grants/ss4a/grant-agreements>. Articles 7–30 are in the General Terms and Conditions. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions. Recipient also states that it is required to comply with all applicable Federal laws and regulations including, but not limited to, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200); National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.); and Build America, Buy America Act (BIL, div. G §§ 70901-27).
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, termination of the SS4A Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the FHWA the SS4A Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**ARTICLE 2
APPLICATION, PROJECT, AND AWARD**

2.1 Application.

Application Title: Safety Action Plans for the Central Puget Sound Region

Application Date: September 15, 2022

2.2 Award Amount.

SS4A Grant Amount: \$4,860,363

2.3 Award Dates.

Period of Performance End Date: See section 6 on page 1.

2.4 Budget Period

Budget Period End Date: See section 6 on page 1.

2.5 Action Plan Grant or Implementation Grant Designation.

Designation: Action Plan

2.6 Federal Award Identification Number.

The Federal Award Identification Number is listed on page 1, line 1.

ARTICLE 3 SUMMARY PROJECT INFORMATION

3.1 Summary of Project's Statement of Work.

The Project consists of seven components:

- Component 1:** Recipient Puget Sound Regional Council will use funds to develop a Regional Safety Action Plan for the central Puget Sound region's metropolitan transportation system.
- PSRC will integrate available data sets that will allow for analyses of key transportation safety problems facing the region and local jurisdictions and assist identification of specific projects by its members. The Regional Safety Action Plan will conform with USDOT criteria published in the Fiscal Year 2022 SS4A Action Plan Notice of Funding Opportunity. After completion of the regional Action Plan, PSRC will develop and provide data, technical assistance, and consultant support to local jurisdictions to create and implement local safety action plans, prioritizing jurisdictions with high proportions of underserved communities. As the grant Recipient, PSRC will coordinate the work described below in Components 2-7.; and
- Component 2:** Designated Subrecipient City of Burien will use funds to create a Safety Action Plan for the City of Burien conforming with USDOT criteria published in the Fiscal Year 2022 SS4A Action Plan Notice of Funding Opportunity.
- Component 3:** Designated Subrecipient City of Everett will use funds to create a Safety Action Plan for the City of Everett conforming with USDOT criteria published in the Fiscal Year 2022 SS4A Action Plan Notice of Funding Opportunity.
- Component 4:** Designated Subrecipient City of Kent will use funds to create a Safety Action Plan for the City of Kent conforming with USDOT criteria published in the Fiscal Year 2022 SS4A Action Plan Notice of Funding Opportunity.
- Component 5:** Designated Subrecipient Pierce County will use funds to create a Safety Action Plan for Pierce County conforming with USDOT criteria published in the Fiscal Year 2022 SS4A Action Plan Notice of Funding Opportunity.
- Component 6:** Designated Subrecipient City of Redmond will use funds to create a Safety Action Plan for the City of Redmond conforming with USDOT criteria published in the Fiscal Year 2022 SS4A Action Plan Notice of Funding Opportunity.

Component 7: Designated Subrecipient City of Tukwila will use funds to create a Safety Action plan for the City of Tukwila conforming with USDOT criteria published in the Fiscal Year 2022 SS4A Action Plan Notice of Funding Opportunity.

3.2 Project's Estimated Schedule.

ACTION PLAN SCHEDULE

Puget Sound Regional Council

Milestone	Schedule Date
Draft Action Plan Completion Date:	January 15, 2025
Planned Action Plan Completion Date:	April 24, 2025
Planned Action Plan Adoption Date:	May 22, 2025
Planned SS4A Final Report Date:	March 19, 2027

City of Burien

Milestone	Schedule Date
Planned Draft Action Plan Completion Date:	August 15, 2025
Planned Action Plan Completion Date:	October 13, 2025
Planned Action Plan Adoption Date:	January 12, 2026
Planned SS4A Final Report Date:	March 19, 2027

City of Everett

Milestone	Schedule Date
Planned Draft Action Plan Completion Date:	August 1, 2025
Planned Action Plan Completion Date:	November 12, 2025
Planned Action Plan Adoption Date:	February 18, 2026
Planned SS4A Final Report Date:	March 19, 2027

City of Kent

Milestone	Schedule Date
Draft Action Plan Completion Date:	February 4, 2025
Planned Action Plan Completion Date:	April 15, 2025
Planned Action Plan Adoption Date:	June 17, 2025
Planned SS4A Final Report Date:	March 19, 2027

Pierce County

Milestone	Schedule Date
Planned Draft Action Plan Completion Date:	April 14, 2025
Planned Action Plan Completion Date:	July 8, 2025
Planned Action Plan Adoption Date:	September 16, 2025
Planned SS4A Final Report Date:	March 19, 2027

City of Redmond

Milestone	Schedule Date
Draft Action Plan Completion Date:	February 14, 2024
Planned Action Plan Completion Date:	May 16, 2025
Planned Action Plan Adoption Date:	June 3, 2025
Planned SS4A Final Report Date:	March 19, 2027

City of Tukwila

Milestone	Schedule Date
Draft Action Plan Completion Date:	March 24, 2025
Planned Action Plan Completion Date:	April 14, 2025
Planned Action Plan Adoption Date:	April 21, 2025
Planned SS4A Final Report Date:	March 19, 2027

3.3 Project's Estimated Costs.

(a) Eligible Project Costs

Eligible Project Costs	
SS4A Grant Amount:	\$4,860,363
Other Federal Funds:	\$0
State Funds:	\$0
Local Funds:	\$1,215,091
In-Kind Match:	\$0
Other Funds:	\$0
Total Eligible Project Cost:	\$6,075,454

(b) Supplemental Estimated Budget

Cost Element	Federal Share	Non-Federal Share	Total Budget Amount
Direct Labor	\$302,402	\$155,600	\$485,002
Fringe Benefits	\$106,034	\$46,510	\$152,544
Travel	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Supplies	\$12,000	\$3,000	\$15,000
Contractual/Consultant	\$4,285,798	\$971,449	\$5,257,247
Other	\$0	\$0	\$0
Indirect Costs	\$154,129	\$38,532	\$192,661
Total Budget	\$4,860,363	\$1,215,091	\$6,075,454

ARTICLE 4**RECIPIENT INFORMATION****4.1 Recipient's Unique Entity Identifier.**

XFN8WL8ZK9L4

4.2 Recipient Contact(s).

Ben Bakkenta
 Director of Regional Planning
 Puget Sound Regional Council
 1011 Western Avenue, Suite 500
 Seattle, WA 98104
 206-971-3286
bbakkenta@psrc.org

4.3 Recipient Key Personnel.

Name	Title or Position
Ben Bakkenta, AICP	Puget Sound Regional Council – Director of Regional Planning
Brian Victor, P.E.	Burien – Capital Projects Manager
Corey Hert, P.E.	Everett – City Traffic Engineer
David Paine, AICP, PTP	Kent – City Transportation Planner
Clint Ritter, P.E.	Pierce County – Program Development Supervisor
Vangie Garcia, P.E., PMP	Redmond – Transportation Planning and Engineering Manager
Josh Mueller	Redmond – Senior Transportation Strategist
Josh Hartley, P.E.	Tukwila – Deputy Director of Transportation

4.4 USDOT Project Contact(s).

Safe Streets and Roads for All Program Manager
Federal Highway Administration
Office of Safety
HSSA-1, Mail Stop: E71-117
1200 New Jersey Avenue, S.E.
Washington, DC 20590
202-366-2822
SS4A.FHWA@dot.gov

and

Agreement Officer (AO)
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-42, Mail Stop E62-310
1200 New Jersey Avenue, S.E.
Washington, DC 20590
~~202-493-2402~~
HCFASS4A@dot.gov

and

Division Administrator
Washington Division Office
Agreement Officer's Representative (AOR)
711 Capitol Way S. Suite 501
Olympia, WA 98501
(360) 753-9480
hdawa@dot.gov

and

Matthew Pahs
Washington Division Office Lead Point of Contact
711 Capitol Way S. Suite 501
Olympia, WA 98501
(360) 753-9418
Matthew.Pahs@dot.gov

Commented [JV(1)]: Please add the Division Office Point of Contact.

ARTICLE 5 USDOT ADMINISTRATIVE INFORMATION

5.1 Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Office of Acquisition and Grants Management

SUBAWARDS AND CONTRACTS APPROVAL

Note: See 2 CFR § 200.331, Subrecipient and contractor determinations, for definitions of subrecipient (who is awarded a subaward) versus contractor (who is awarded a contract).

Note: Recipients with a procurement system deemed approved and accepted by the Government or by the AO are exempt from the requirements of this clause. See 2 CFR 200.317 through 200.327.

In accordance with 2 CFR 200.308 (f)(6) the recipient or subrecipient shall obtain prior written approval from the USDOT agreement officer for the subaward, if the subaward activities were not proposed in the application or approved in the Federal award. This provision is in accordance with 2 CFR 200.308 (f)(6) and does not apply to procurement transactions for goods and services. Approval will be issued through written notification from the AO or a formal amendment to the Agreement. Note: This clause is only applicable to Action Plan Grants.

Unless described in the application and funded in the approved award, the Recipient must obtain prior written approval from the AO for the subaward, transfer, or contracting out of any work under this award above the Simplified Acquisition Threshold. This provision does not apply to the acquisition of supplies, material, equipment, or general support services. Approval of each subaward or contract is contingent upon the Recipient's submittal of a written fair and reasonable price determination, and approval by the AO for each proposed contractor/sub-recipient. Consent to enter into subawards or contracts will be issued through written notification from the AO or a formal amendment to the Agreement.

The following subawards and contracts are currently approved under the Agreement by the AO. This list does not include supplies, material, equipment, or general support services which are exempt from the pre-approval requirements of this clause.

TBD

Designated Subrecipient	Action Plan Title and Component Number from Article 3 Section 3.1	Total Amount of the FY 2022 SS4A Grant Funds for Component
City of Burien	City of Burien Safety Action Plan (Component 2 of the Project)	\$160,000
City of Everett, WA	City of Everett Safety Action Plan (Component 3 of the Project)	\$788,363
City of Kent, WA	City of Kent Safety Action Plan (Component 4 of the Project)	\$472,000
Pierce County, WA	Pierce County Safety Action Plan (Component 5 of the Project)	\$400,000
City of Redmond, WA	City of Redmond Safety Action Plan (Component 6 of the Project)	\$160,000
City of Tukwila, WA	City of Tukwila Safety Action Plan (Component 7 of the Project)	\$200,000

5.2 Reimbursement Requests

- (a) The Recipient may request reimbursement of costs incurred in the performance of this agreement if those costs do not exceed the funds available under section 2.2 and are allowable under the applicable cost provisions of 2 C.F.R. Part 200, Subpart E. The Recipient shall not request reimbursement more frequently than monthly.
- (b) The Recipient shall use the DELPHI eInvoicing System to submit requests for reimbursement to the payment office. When requesting reimbursement of costs incurred or credit for cost share incurred, the Recipient shall electronically submit supporting cost detail with the SF 271 (Outlay Report and Request for Reimbursement for Construction Programs) to clearly document all costs incurred.
- (c) The Recipient's supporting cost detail shall include a detailed breakout of all costs incurred, including direct labor, indirect costs, other direct costs, travel, etc., and the Recipient shall identify the Federal share and the Recipient's share of costs. If the Recipient does not provide sufficient detail in a request for reimbursement, the AO may withhold processing that request until the Recipient provides sufficient detail.

- (d) The USDOT shall not reimburse costs unless the Agreement Officer's Representative (the "AOR") reviews and approves the costs to ensure that progress on this agreement is sufficient to substantiate payment.
- (e) The USDOT may waive the requirement that the Recipient use the DELPHI eInvoicing System. The Recipient may obtain waiver request forms on the DELPHI eInvoicing website (<http://www.dot.gov/cfo/delphi-einvoicing-system.html>) or by contacting the AO. A Recipient who seeks a waiver shall explain why they are unable to use or access the Internet to register and enter payment requests and send a waiver request to

Director of the Office of Financial Management
US Department of Transportation,
Office of Financial Management B-30, Room W93-431
1200 New Jersey Avenue SE
Washington DC 20590-0001

or

DOTElectronicInvoicing@dot.gov.

If the USDOT grants the Recipient a waiver, the Recipient shall submit SF 271s directly to:

DOT/FAA
P.O. Box 268865
Oklahoma City, OK 73125-8865
Attn: Agreement Specialist

- (f) The requirements set forth in these terms and conditions supersede previous financial invoicing requirements for Recipients.

**ARTICLE 6
SPECIAL GRANT TERMS**

- 6.1** SS4A funds must be expended within five years after the grant agreement is executed and DOT obligates the funds, which is the budget period end date in section 10.3 of the Terms and Conditions and section [wherever the date it is in this agreement].
- 6.2** The Recipient acknowledges that the Action Plan will be made publicly available, and the Recipient agrees that it will publish the final Action Plan on a publicly available website.
- 6.3** The Recipient demonstrates compliance with civil rights obligations and nondiscrimination laws, including Titles VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations. Recipients of Federal transportation funding will also be required to comply fully with regulations and guidance for the ADA, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other civil rights requirements.
- 6.4** This grant agreement reflects the selection of the joint application submitted by the Recipient and Designated Subrecipients.
- 6.5** SS4A Funds will be allocated to the Recipient and made available to the Recipient in accordance with FHWA procedures.
- 6.6** The Recipient and Subrecipients shall execute a subaward agreement to satisfy the requirements under 2 CFR 200.322 and may enter into one or more separate Project administration agreements including but not limited a Project reimbursement agreement. The Government shall not be a party to the subaward agreement or any other separate Project administration agreements.
- 6.7** There are no other special grant requirements for this Award.

ATTACHMENT A
PERFORMANCE MEASUREMENT INFORMATION

Study Area: Central Puget Sound Region; Cities of Burien, Everett, Kent, Redmond, and Tukwila, Washington, and Pierce County, Washington

Baseline Measurement Date: July 1, 2023

Baseline Report Date: September 1, 2023

Table 1: Performance Measure Table

Measure	Category and Description	Measurement Frequency
Equity	Percent of Funds to Underserved Communities: Funding amount (of total project amount) benefitting underserved communities, as defined by USDOT	End of period of performance
Costs	Project Costs: Quantification of the cost of each eligible project carried out using the grant	End of period of performance
Lessons Learned and Recommendations	Lessons Learned and Recommendations: Description of lessons learned and any recommendations relating to future projects of strategies to prevent death and serious injury on roads and streets.	End of period of performance

ATTACHMENT B
CHANGES FROM APPLICATION THE ORIGINAL GRANT AGREEMENT

Scope: N/A

Schedule: X

Budget/Phasing: X

Commented [VJ2]: Please add the justification/need for the amendment.

CHANGES FROM APPLICATION

INSTRUCTIONS FOR COMPLETING ATTACHMENT B: Describe all material differences between the scope, schedule, and budget described in the application and the scope, schedule, and budget described in Article 3. The purpose of this attachment B is to document the differences clearly and accurately in scope, schedule, and budget to establish the parties' knowledge and acceptance of those differences. See section 10.1.

Scope: No changes to project scope.

Schedule: Execution of subaward agreements with Designated Subrecipients took longer than initially anticipated at time of Grant Agreement execution. More time was also required for subsequent public procurement processes to contract with available consultant support, data analysis, public engagement and outreach, and local adoption processes. PSRC plans continued technical and data assistance for regional and local plan implementation. A culminating Regional Safety Summit is planned for mid-2026. These delays and tasks require an extension of the Period of Performance, still within the five-year period after the initial execution of the Grant Agreement.

Budget: No changes to project budget.

The table below provides a summary comparison of the project budget.

Fund Source	Application		Section 3.3	
	\$	%	\$	%
Previously Incurred Costs (Non-Eligible Project Costs)				
Federal Funds				
Non-Federal Funds				
Total Previously Incurred Costs				
Future Eligible Project Costs				
SS4AFunds				
Other Federal Funds				
Non-Federal Funds				
Total Future Eligible Project Costs				

Fund Source	Application		Section 3.3	
	\$	%	\$	%
Total Project Costs				

ATTACHMENT C

[reserved]
Racial Equity and Barriers to Opportunity

1. ~~EFFORTS TO IMPROVE RACIAL EQUITY AND REDUCE BARRIERS TO OPPORTUNITY.~~

THE RECIPIENT STATES THAT ROWS MARKED WITH “X” IN THE FOLLOWING
TABLE ARE ACCURATE:

~~A RACIAL EQUITY IMPACT ANALYSIS HAS BEEN COMPLETED FOR THE PROJECT. (IDENTIFY A REPORT ON THAT ANALYSIS OR, IF NO REPORT WAS PRODUCED, DESCRIBE THE ANALYSIS AND ITS RESULTS IN THE SUPPORTING NARRATIVE BELOW.)~~

X	<p>THE RECIPIENT OR A PROJECT PARTNER HAS ADOPTED AN EQUITY AND INCLUSION PROGRAM/PLAN OR HAS OTHERWISE INSTITUTED EQUITY FOCUSED POLICIES RELATED TO PROJECT PROCUREMENT, MATERIAL SOURCING, CONSTRUCTION, INSPECTION, HIRING, OR OTHER ACTIVITIES DESIGNED TO ENSURE RACIAL EQUITY IN THE OVERALL DELIVERY AND IMPLEMENTATION OF THE PROJECT.</p> <p>(IDENTIFY THE RELEVANT PROGRAMS, PLANS, OR POLICIES IN THE SUPPORTING NARRATIVE BELOW.)</p>
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~~THE PROJECT INCLUDES PHYSICAL BARRIER-MITIGATING LAND BRIDGES, CAPS, LIDS, LINEAR PARKS, AND MULTIMODAL MOBILITY INVESTMENTS THAT EITHER REDRESS PAST BARRIERS TO OPPORTUNITY OR THAT PROACTIVELY CREATE NEW CONNECTIONS AND OPPORTUNITIES FOR UNDERSERVED COMMUNITIES THAT ARE UNDERSERVED BY TRANSPORTATION. (IDENTIFY THE RELEVANT INVESTMENTS IN THE SUPPORTING NARRATIVE BELOW.)~~

~~THE PROJECT INCLUDES NEW OR IMPROVED WALKING, BIKING, AND ROLLING ACCESS FOR INDIVIDUALS WITH DISABILITIES, ESPECIALLY ACCESS THAT REVERSES THE DISPROPORTIONAL IMPACTS OF CRASHES ON PEOPLE OF COLOR AND MITIGATES NEIGHBORHOOD BIFURCATION. (IDENTIFY THE NEW OR IMPROVED ACCESS IN THE SUPPORTING NARRATIVE BELOW.)~~

~~THE PROJECT INCLUDES NEW OR IMPROVED FREIGHT ACCESS TO UNDERSERVED COMMUNITIES TO INCREASE ACCESS TO GOODS AND JOB OPPORTUNITIES FOR THOSE UNDERSERVED COMMUNITIES. (IDENTIFY THE NEW OR IMPROVED ACCESS IN THE SUPPORTING NARRATIVE BELOW.)~~

X	THE RECIPIENT HAS TAKEN OTHER ACTIONS RELATED TO THE PROJECT TO IMPROVE RACIAL EQUITY AND REDUCE BARRIERS TO OPPORTUNITY, AS DESCRIBED IN THE SUPPORTING NARRATIVE BELOW.
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~~THE RECIPIENT HAS NOT YET TAKEN ACTIONS RELATED TO THE PROJECT TO IMPROVE RACIAL EQUITY AND REDUCE BARRIERS TO OPPORTUNITY BUT, BEFORE BEGINNING CONSTRUCTION OF THE PROJECT, WILL TAKE RELEVANT ACTIONS DESCRIBED IN THE SUPPORTING NARRATIVE BELOW~~

	<p>THE RECIPIENT HAS NOT TAKEN ACTIONS RELATED TO THE PROJECT TO IMPROVE RACIAL EQUITY AND REDUCE BARRIERS TO OPPORTUNITY AND WILL NOT TAKE THOSE ACTIONS UNDER THIS AWARD.</p>
--	---

~~2. SUPPORTING NARRATIVE.~~

~~PSRC EQUITY WORK PROGRAM~~

~~THE CENTRAL PUGET SOUND REGION'S VISION IS TO PROVIDE EXCEPTIONAL
QUALITY OF LIFE, OPPORTUNITY FOR ALL, CONNECTED COMMUNITIES, A
SPECTACULAR NATURAL ENVIRONMENT, AND AN INNOVATIVE, THRIVING
ECONOMY. THIS CANNOT BE ACHIEVED WITHOUT DISMANTLING SYSTEMS
OF RACIAL INEQUITY.~~

~~“ONE-SIZE-FITS-ALL” STRATEGIES ARE RARELY SUCCESSFUL. RATHER THAN SEEKING TO ESTABLISH POLICIES AND PRACTICES WHERE EVERYONE IS TREATED THE SAME, PSRC IS ESTABLISHING UNIVERSAL GOALS WHILE CONSIDERING HOW DIFFERENT GROUPS HAVE FACED, AND CONTINUE TO FACE, DIFFERENT BARRIERS. PSRC RECOGNIZES THAT OTHER GROUPS OF PEOPLE ARE STILL MARGINALIZED BASED ON RACE, GENDER, SEXUAL ORIENTATION AND GENDER EXPRESSION, ABILITY, AGE, AND OTHER FACTORS. FOCUSING ON RACIAL EQUITY PROVIDES THE OPPORTUNITY TO ADDRESS THE UNIQUE CIRCUMSTANCES OF VARIOUS GROUPS AND RECOGNIZES THE INTERCONNECTED WAYS IN WHICH MARGINALIZATION TAKES PLACE.~~

~~PSRC IS WORKING WITH ITS EQUITY ADVISORY COMMITTEE (EAC) TO DEVELOP A REGIONAL EQUITY STRATEGY. THE STRATEGY WILL IMPLEMENT THE RACIAL EQUITY POLICIES ADOPTED IN VISION 2050, THE REGION'S ADOPTED LONG-RANGE PLAN, THAT WORK TOWARDS EQUITABLE OUTCOMES FOR ALL AND SERVE AS A GUIDE FOR COORDINATED PLANNING WITHIN THE REGION. THESE POLICIES AND ACTIONS ADDRESS A WIDE VARIETY OF ISSUES, FROM REGIONAL GROWTH PATTERNS, HOUSING, ENVIRONMENTAL QUALITY, HEALTH, CLIMATE, ECONOMIC OPPORTUNITY, TRANSPORTATION, AND PUBLIC SERVICES. THE REGIONAL EQUITY STRATEGY WILL INTRODUCE A FRAMEWORK, TOOLS, AND RESOURCES THAT CAN BE APPLIED TO OTHER MARGINALIZED COMMUNITIES.~~

~~THE WORK PLAN WAS FINALIZED IN MARCH 2021. ELEMENTS OF THE WORK PLAN INCLUDE IMPLEMENTATION OF AN INTERNALLY FOCUSED RACIAL EQUITY ACTION PLAN (REAP), WHICH HAS EVALUATED AND UPDATED AGENCY PROCUREMENT, HIRING AND RETENTION, AND OTHER ADMINISTRATIVE POLICIES AND PROCEDURES THAT MAY HAVE REFLECTED BIAS OR INTRODUCED INEQUITABLE BARRIERS OR PROCESSES. THE OVERALL STRATEGY IS CURRENTLY UNDER DEVELOPMENT, WITH COMPONENTS ADOPTED PERIODICALLY. WORK TO REFINE AND IMPLEMENT THE STRATEGY WILL BE ONGOING.~~

|

ATTACHMENT D
~~CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS~~

[RESERVED]

|

~~1. — CONSIDERATION OF CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS.~~

~~THE RECIPIENT STATES THAT ROWS MARKED WITH “X” IN THE FOLLOWING
TABLE ARE ACCURATE:~~

**THE PROJECT DIRECTLY SUPPORTS A
LOCAL/REGIONAL/STATE CLIMATE ACTION PLAN THAT
RESULTS IN LOWER GREENHOUSE GAS EMISSIONS. (*IDENTIFY
THE PLAN IN THE SUPPORTING NARRATIVE BELOW.*)**

X	<p>THE PROJECT DIRECTLY SUPPORTS A LOCAL/REGIONAL/STATE EQUITABLE DEVELOPMENT PLAN THAT RESULTS IN LOWER GREENHOUSE GAS EMISSIONS. (IDENTIFY THE PLAN IN THE SUPPORTING NARRATIVE BELOW.)</p>
---	---

**~~THE PROJECT DIRECTLY SUPPORTS A
LOCAL/REGIONAL/STATE ENERGY BASELINE STUDY THAT
RESULTS IN LOWER GREENHOUSE GAS EMISSIONS. (IDENTIFY
THE PLAN IN THE SUPPORTING NARRATIVE BELOW.)~~**

X	THE RECIPIENT OR A PROJECT PARTNER USED ENVIRONMENTAL JUSTICE TOOLS, SUCH AS THE EJSCREEN, TO MINIMIZE ADVERSE IMPACTS OF THE PROJECT ON ENVIRONMENTAL JUSTICE COMMUNITIES. <i>(IDENTIFY THE TOOL(S) IN THE SUPPORTING NARRATIVE BELOW.)</i>
---	---

THE PROJECT SUPPORTS A MODAL SHIFT IN FREIGHT OR PASSENGER MOVEMENT TO REDUCE EMISSIONS OR REDUCE INDUCED TRAVEL DEMAND. (DESCRIBE THAT SHIFT IN THE SUPPORTING NARRATIVE BELOW.)

~~THE PROJECT UTILIZES DEMAND MANAGEMENT STRATEGIES TO REDUCE CONGESTION, INDUCED TRAVEL DEMAND, AND GREENHOUSE GAS EMISSIONS. (DESCRIBE THOSE STRATEGIES IN THE SUPPORTING NARRATIVE BELOW.)~~

**THE PROJECT INCORPORATES ELECTRIFICATION
INFRASTRUCTURE, ZERO-EMISSION VEHICLE
INFRASTRUCTURE, OR BOTH. (DESCRIBE THE INCORPORATED
INFRASTRUCTURE IN THE SUPPORTING NARRATIVE BELOW.)**

~~THE PROJECT SUPPORTS THE INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS. (DESCRIBE THAT SUPPORT IN THE SUPPORTING NARRATIVE BELOW.)~~

**~~THE PROJECT PROMOTES ENERGY EFFICIENCY. (DESCRIBE
HOW IN THE SUPPORTING NARRATIVE BELOW.)~~**

~~THE PROJECT SERVES THE RENEWABLE ENERGY SUPPLY CHAIN. (DESCRIBE HOW IN THE SUPPORTING NARRATIVE BELOW.)~~

**THE PROJECT IMPROVES DISASTER PREPAREDNESS AND
RESILIENCY (DESCRIBE HOW IN THE SUPPORTING NARRATIVE
BELOW.)**

~~THE PROJECT AVOIDS ADVERSE ENVIRONMENTAL IMPACTS TO AIR OR WATER QUALITY, WETLANDS, AND ENDANGERED SPECIES, SUCH AS THROUGH REDUCTION IN CLEAN AIR ACT CRITERIA POLLUTANTS AND GREENHOUSE GASES, IMPROVED STORMWATER MANAGEMENT, OR IMPROVED HABITAT CONNECTIVITY. (DESCRIBE HOW IN THE SUPPORTING NARRATIVE BELOW.)~~

~~THE PROJECT REPAIRS EXISTING DILAPIDATED OR IDLE
INFRASTRUCTURE THAT IS CURRENTLY CAUSING
ENVIRONMENTAL HARM. (DESCRIBE THAT INFRASTRUCTURE IN
THE SUPPORTING NARRATIVE BELOW.)~~

~~THE PROJECT SUPPORTS OR INCORPORATES THE
CONSTRUCTION OF ENERGY AND LOCATION EFFICIENT
BUILDINGS. (DESCRIBE HOW IN THE SUPPORTING NARRATIVE
BELOW.)~~

~~THE PROJECT INCLUDES RECYCLING OF MATERIALS, USE OF MATERIALS KNOWN TO REDUCE OR REVERSE CARBON EMISSIONS, OR BOTH. (DESCRIBE THE MATERIALS IN THE SUPPORTING NARRATIVE BELOW.)~~

X	THE RECIPIENT HAS TAKEN OTHER ACTIONS TO CONSIDER CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS OF THE PROJECT, AS DESCRIBED IN THE SUPPORTING NARRATIVE BELOW.
---	--

THE RECIPIENT HAS NOT YET TAKEN ACTIONS TO CONSIDER CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS OF THE PROJECT BUT, BEFORE BEGINNING CONSTRUCTION OF THE PROJECT, WILL TAKE RELEVANT ACTIONS DESCRIBED IN THE SUPPORTING NARRATIVE BELOW.

THE RECIPIENT HAS NOT TAKEN ACTIONS TO CONSIDER CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS OF THE PROJECT AND WILL NOT TAKE THOSE ACTIONS UNDER THIS AWARD.

2. SUPPORTING NARRATIVE.

~~PSRC HAS ADOPTED THREE LONG-RANGE POLICY PLANS, WHICH, TOGETHER, SERVE AS THE CENTRAL PUGET SOUND REGION'S PLAN FOR EQUITABLE DEVELOPMENT. THESE PLANS ARE VISION 2050, THE REGIONAL TRANSPORTATION PLAN, AND THE REGIONAL ECONOMIC STRATEGY. DEVELOPMENT OF A REGIONAL SAFETY ACTION PLAN SUPPORTS THE IMPLEMENTATION OF THESE PLANS. EQUITY IS AN OVERARCHING GOAL ADDRESSED THROUGHOUT THESE PLANS. VISION 2050 CALLS FOR THE REGION TO DEVELOP A COORDINATED EFFORT TO BETTER ASSESS AND ADDRESS ISSUES RELATED TO THE GOAL OF PROVIDING OPPORTUNITY FOR EVERY RESIDENT, REGARDLESS OF RACE, ETHNICITY, INCOME, AGE, ABILITY, OR OTHER SOCIOECONOMIC CHARACTERISTICS.~~

~~IN THE EXTENSIVE EQUITY-RELATED POLICIES IN VISION 2050, THOSE ADDRESSING TRANSPORTATION INCLUDE:~~

• ~~IMPLEMENT TRANSPORTATION PROGRAMS AND PROJECTS THAT PROVIDE ACCESS TO OPPORTUNITIES WHILE PREVENTING OR MITIGATING NEGATIVE IMPACTS TO PEOPLE OF COLOR, PEOPLE WITH LOW INCOMES, AND PEOPLE WITH SPECIALIZED TRANSPORTATION NEEDS.~~

- ~~ENSURE MOBILITY CHOICES FOR PEOPLE WITH SPECIALIZED TRANSPORTATION NEEDS, INCLUDING PERSONS WITH DISABILITIES, OLDER ADULTS, YOUTH, AND PEOPLE WITH LOW INCOMES.~~

~~BUILDING FROM VISION 2050, THE REGIONAL TRANSPORTATION PLAN
CENTERS EQUITY TO PROVIDE A SAFE AND EQUITABLE TRANSPORTATION
SYSTEM FOR ALL IN THE REGION, REDUCING THE LIKELIHOOD THAT RACE
AND OTHER DEMOGRAPHIC FACTORS CONTINUE TO PREDICT WHO HAS
ACCESS TO OPPORTUNITIES.~~

~~APPLYING AN EQUITY APPROACH ALLOWS PSRC TO BETTER UNDERSTAND HOW TRANSPORTATION SERVICES AND INVESTMENTS IMPACT DIFFERENT COMMUNITIES AND TO ENSURE THE PLAN MEETS THE TRANSPORTATION NEEDS OF HISTORICALLY MARGINALIZED AND UNDERSERVED COMMUNITIES. PSRC INTEGRATED AN EQUITY FOCUS DURING THE DEVELOPMENT OF THE PLAN THROUGH A SERIES OF BOARD ENGAGEMENTS AND DISCUSSIONS, ENHANCED PUBLIC ENGAGEMENT PROCESSES, AND COMPLETION OF AN EQUITY ANALYSIS ON THE PERFORMANCE OF THE PLAN FOR HISTORICALLY MARGINALIZED TRANSPORTATION USERS. SEE APPENDIX F (REGIONAL EQUITY ANALYSIS) OF THE REGIONAL TRANSPORTATION PLAN FOR MORE DETAILED INFORMATION.~~

CLIMATE CHANGE IS A PRIMARY FOCUS OF VISION 2050, WITH AN ADOPTED GOAL FOR THE REGION TO SUBSTANTIALLY REDUCE EMISSIONS OF GREENHOUSE GASES THAT CONTRIBUTE TO CLIMATE CHANGE IN ACCORDANCE WITH THE GOALS OF THE PUGET SOUND CLEAN AIR AGENCY (50% BELOW 1990 LEVELS BY 2030 AND 80% BELOW 1990 LEVELS BY 2050), AS WELL AS TO PREPARE FOR CLIMATE CHANGE IMPACTS.

THE REGIONAL TRANSPORTATION PLAN INCLUDES AN ADOPTED FOUR-PART GREENHOUSE GAS STRATEGY, RECOGNIZING THAT DECISIONS AND INVESTMENTS IN THE CATEGORIES OF LAND USE, TRANSPORTATION CHOICES, PRICING, AND TECHNOLOGY/DECARBONIZATION ARE THE PRIMARY FACTORS THAT INFLUENCE GREENHOUSE GAS EMISSIONS FROM ON-ROAD TRANSPORTATION AND ARE FACTORS FOR WHICH PSRC'S PLANNING EFFORTS HAVE EITHER DIRECT OR INDIRECT INFLUENCE. THE PLAN IDENTIFIES ONGOING WORK TO ADVANCE ACTIONS WITHIN EACH CATEGORY, AS WELL AS NECESSARY FUTURE STEPS TO ENSURE FULL IMPLEMENTATION. THIS WORK INCLUDES DEVELOPMENT AND IMPLEMENTATION OF A REGIONAL SAFETY PLAN FOR THE REGION'S TRANSPORTATION SYSTEM. A SAFE TRANSPORTATION SYSTEM IS CRITICAL TO MAKING TRANSPORTATION CHOICES VIABLE AND ATTRACTIVE.

WITH FULL IMPLEMENTATION OF THE GREENHOUSE GAS STRATEGY, THE REGION IS ON TRACK TO ACHIEVE THE CLIMATE GOALS WITH A FORECASTED 83% REDUCTION IN GHG EMISSIONS BELOW 1990 LEVELS BY 2050. FIGURE 36 HIGHLIGHTS THE IMPACTS OF THE VARIOUS STEPS REQUIRED TO MEET THE REGIONAL CLIMATE GOALS. SEE CHAPTER 2 OF THE REGIONAL TRANSPORTATION PLAN FOR MORE INFORMATION ON PSRC'S ADOPTED CLIMATE WORK PROGRAM.

ATTACHMENT E
LABOR AND WORKFORCE

1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table are accurate:

X	<u>The Recipient or a project partner promotes robust job creation by supporting good-paying jobs directly related to the project with free and fair choice to join a union. (Describe robust job creation and identify the good-paying jobs in the supporting narrative below.)</u>
	<u>The Recipient or a project partner will invest in high-quality workforce training programs such as registered apprenticeship programs to recruit, train, and retain skilled workers, and implement policies such as targeted hiring preferences. (Describe the training programs in the supporting narrative below.)</u>
	<u>The Recipient or a project partner will partner with high-quality workforce development programs with supportive services to help train, place, and retain workers in good-paying jobs or registered apprenticeships including through the use of local and economic hiring preferences, linkage agreements with workforce programs, and proactive plans to prevent harassment. (Describe the supportive services provided to trainees and employees, preferences, and policies in the supporting narrative below.)</u>
	<u>The Recipient or a project partner will partner and engage with local unions or other worker-based organizations in the development and lifecycle of the project, including through evidence of project labor agreements and/or community benefit agreements. (Describe the partnership or engagement with unions and/or other worker-based organizations and agreements in the supporting narrative below.)</u>
	<u>The Recipient or a project partner will partner with communities or community groups to develop workforce strategies. (Describe the partnership and workforce strategies in the supporting narrative below.)</u>
	<u>The Recipient or a project partner has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. (Describe those actions in the supporting narrative below.)</u>
	<u>The Recipient or a project partner has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the Project, will take relevant actions described in schedule B. (Identify the relevant actions from schedule B in the supporting narrative below.)</u>
	<u>The Recipient or a project partner has not taken actions related to the Project to improve good-paying jobs and strong labor standards and will not take those actions under this award.</u>
X	<u>The Recipient demonstrates, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of high labor standards. (Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</u>

	The Recipient or a project partner has adopted the use of local and economic hiring preferences in the overall delivery and implementation of the Project. <i>(Describe the relevant provisions in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted the use of registered apprenticeships in the overall delivery and implementation of the Project. <i>(Describe the use of registered apprenticeship in the supporting narrative below.)</i>
	The Recipient or a project partner will provide training and placement programs for underrepresented workers in the overall delivery and implementation of the Project. <i>(Describe the training programs in the supporting narrative below.)</i>
	The Recipient or a project partner will support free and fair choice to join a union in the overall delivery and implementation of the Project by investing in workforce development services offered by labor-management training partnerships or setting expectations for contractors to develop labor-management training programs. <i>(Describe the workforce development services offered by labor-management training partnerships in the supporting narrative below.)</i>
	The Recipient or a project partner will provide supportive services and cash assistance to address systemic barriers to employment to be able to participate and thrive in training and employment, including childcare, emergency cash assistance for items such as tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking. <i>(Describe the supportive services and/or cash assistance provided to trainees and employees in the supporting narrative below.)</i>
	The Recipient or a project partner has documented agreements or ordinances in place to hire from certain workforce programs that serve underrepresented groups. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i>

<p>The Recipient or a project partner participates in a State/Regional/Local comprehensive plan to promote equal opportunity, including removing barriers to hire and preventing harassment on work sites, and that plan demonstrates action to create an inclusive environment with a commitment to equal opportunity, including:</p> <ul style="list-style-type: none"> a.—affirmative efforts to remove barriers to equal employment opportunity above and beyond complying with Federal law; b.—proactive partnerships with the U.S. Department of Labor’s Office of Federal Contract Compliance Programs to promote compliance with EO 11246 Equal Employment Opportunity requirements and meet the requirements as outlined in the Notice of Funding Opportunity to make good faith efforts to meet the goals of 6.9 percent of construction project hours being performed by women and goals that vary based on geography for construction work hours and for work being performed by people of color; c.—no discriminatory use of criminal background screens and affirmative steps to recruit and include those with former justice involvement, in accordance with the Fair Chance Act and equal opportunity requirements; d.—efforts to prevent harassment based on race, color, religion, sex, sexual orientation, gender identity, and national origin; e.—training on anti-harassment and third-party reporting procedures covering employees and contractors; and f.—maintaining robust anti-retaliation measures covering employees and contractors. <p><i>(Describe the equal opportunity plan in the supporting narrative below.)</i></p>	<p>The Recipient has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i></p>
<p>The Recipient has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the project, will take relevant actions described in the supporting narrative below.</p>	<p>The Recipient has not taken actions related to the Project to improving good-paying jobs and strong labor standards and will not take those actions under this award.</p>

2. Supporting Narrative.

PSRC affirms its continuing commitment to extend to all qualified individuals an equal opportunity to compete for employment and advancement within the Agency. We are committed to the philosophy and principle of equal employment opportunity for all present and prospective employees. All employees are provided a copy of an Employee Handbook (last updated March 2023), which details its Equal Employment Opportunity policies and procedures.

To provide equal employment and advancement opportunities to all individuals, employment decisions at PSRC will be based on relevant factors such as job performance, experience, qualifications, and abilities. PSRC does not discriminate in employment opportunities or practices on the basis of race, color, religion, creed, sex (including pregnancy, childbirth, or related medical conditions), age, national origin, citizenship, marital status, veteran or military status, medical condition, sensory, physical or mental disability (including HIV/AIDS and Hepatitis C status or use of a service animal), genetic information, sexual orientation (including gender expression or identity), political ideology, ancestry, whistleblower actions, or any other characteristic protected by local, state, or federal law.

PSRC will provide reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in an undue hardship to the Agency. We also reasonably accommodate an employee's religious beliefs, unless doing so would result in an undue hardship. PSRC prohibits harassment of any individual on the basis of any characteristic listed above.

The agency's Equal Employment Opportunity policy governs all aspects of employment, including selection, job assignment, compensation, corrective action, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of Human Resources. Employees can raise concerns and make reports without fear of reprisal, harassment, intimidation, threats, coercion or discrimination because they: (1) file a complaint with the Agency or with federal, state, or local agencies; (2) assist or participate in any investigation, hearing, or any other activity related to the administration of any federal, state, or local equal employment opportunity statute; (3) oppose any act or practice made unlawful by federal, state, or local law requiring equal employment opportunity; or (4) exercise any other employment right protected by federal, state, or local law or its implementing regulations. Any concerns about retaliation must be promptly reported to Human Resources.

Please contact PSRC's Human Resources department for more detailed documentation of PSRC employment policies.

ATTACHMENT F
CRITICAL INFRASTRUCTURE SECURITY AND RESILIENCE

1. Efforts to strengthen the Security and Resilience of Critical Infrastructure against both Physical and Cyber Threats.

The Recipient states that rows marked with “X” in the following table are accurate:

	The Recipient demonstrates, prior to the signing of this agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the activities.
X	The Recipient appropriately considered and addressed physical and cyber security and resilience in the planning, design and oversight of the project, as determined by the Department and the Department of Homeland Security.
	The Recipient complies with 2 CFR 200.216 and the prohibition on certain telecommunications and video surveillance services or equipment.
	The Recipient complies with 2 CFR 200.216 and the prohibition on certain telecommunications and video surveillance services or equipment. For projects in floodplains: The Recipient appropriately considered whether the project was upgraded consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law, in Executive Order 14030, Climate-Related Financial Risk (86 FR 27967), and Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Solicit and Considering Stakeholder Input (80 FR 6425).

2. Supporting Narrative.

PSRC has robust Information Technology (IT) safeguards in place to protect its data and other agency information. PSRC’s IT system includes a firewall in place to protect PSRC network access, and the agency purchases supplemental cyber security insurance to protect against malicious external attacks.

PSRC data is stored on Amazon Web Services (AWS) S3 East-West service. AWS employs sophisticated real-time, continuous auditing and intrusion detection devices throughout its system to detect port scanning attacks, usage & application performance metrics, and unauthorized connection attempts. When there is indication of compromise or potential compromise, alerts are triggered in near real-time.

AWS also has a well-designed incident management plan and trains its staff for incident response. An incident can be triggered either by its continuous alarm system described above, by a trouble ticket submitted by AWS staff, or by PSRC calling a 24/7 support hotline. Steps are immediately taken to contain any damage to the system and prevent any further loss of data.

This service has been authorized and accredited at the Federal Information Security Management Act (FISMA) “medium” impact category, through the Federal Risk and Authorization Management Program (FEDRAMP). Federal data that PSRC stores that

includes employment counts and proprietary firm information are categorized either FISMA low- or medium-impact.

Prior to sharing data with other agencies, PSRC requires those agencies to enter into data security agreements that comply with the Washington Office of Cyber Security's policies and standards for data security and access controls to ensure confidentiality and integrity of data. It also requires agencies to agree to the notice provisions set forth in RCW 42.56.590 in the event of data breaches.

PSRC reviews and updates its IT and security needs regularly to ensure up to date protection on data both in the cloud and onsite. PSRC contracts with an IT consulting firm that provides monthly reviews of PSRC's cybersecurity risks and recommends additional steps to secure its systems. PSRC's IT department regularly reminds staff to be vigilant against email phishing and other security issues.

BROWN EXHIBIT B



Task Filters

Task Name

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FAIN

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Application Status

Select Application Status

Type Of Task

Select Type

Application Name

Enter Partial/Full Application Name

Clear Filters

My Tasks

Task Name	FAIN	Application Name	Application Status	Recipient Id	Assigned To	Received
Execute Award WA-2024-017-01 FFY 2023/2024 Section 5307 PSRC Regional Transit Planning Work Program	WA-2024-017-01	FFY 2023/2024 Section 5307 PSRC Regional Transit Planning Work Program	Obligated / Ready for Execution	1717	Nancy Buonnano Grennan	5/30/2025 4:27 PM GMT+00:00

Execute Award WA-2024-017-01

Recipient Details

Recipient ID	1717	Recipient Name	PUGET SOUND REGIONAL COUNCIL
FAIN	WA-2024-017-01	Award Status	Obligated / Ready for Execution
Temporary Application Number	1717-2023-1	Award Name	FFY 2023/2024 Section 5307 PSRC Regional Transit Planning Work Program
Awarded By	Susan Fletcher	Awarded Date	May 16, 2025
Awarded By Title	Regional Administrator	Obligation Fiscal Year	2025

Enter User PIN

This contract award execution sign off is being recorded under the name of:

Name Nancy Buonnano Grennan
Title Deputy Executive Director

Date Jun 23, 2025

User PIN

CLOSE

EXECUTE AWARD

VIEW AWARD AGREEMENT

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2025, I served a true and correct copy of the foregoing document on the following parties by the method(s) indicated below:

Brian C. Kipnis Annalisa L. Cravens Sarah L. Bishop Rebecca S. Cohen <i>Assistant United States Attorneys</i> Office of the United States Attorney 700 Stewart Street, Suite 5220 Seattle, WA 98101-1271 brian.kipnis@usdoj.gov annalisa.cravens@usdoj.gov sarah.bishop@usdoj.gov rebecca.cohen@usdoj.gov <i>Attorneys for Defendants</i>	<input checked="" type="checkbox"/> CM/ECF E-service <input type="checkbox"/> Email <input type="checkbox"/> U.S. Mail <input type="checkbox"/> Certified Mail / Return Receipt Requested <input type="checkbox"/> Hand delivery / Personal service
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I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

DATED this 14th day of July, 2025.

/s/ Gabriela DeGregorio

Gabriela DeGregorio
 Litigation Assistant
 Pacifica Law Group LLP